

Written statement by Rebecca L. Ricardo
To the SJR 331 Subcommittee - 5-24-05

Thank you for inviting me to share Coordinators²inc's perspective on the current status of our adoption laws and offer suggestions for any changes that might be made. Our agency is very clear in its philosophy about adoption - openness is what works best for children, and, ultimately for birth and adoptive parents. We believe that adoption's primary function is to serve the needs of a child whose legal relationship is being transferred from their birth family to their adoptive family and, in the process, creates a kinship network that forever links the birth and adoptive parents through the child who is part of both. For the primary function to be successful we must acknowledge the needs of the child at placement and the ongoing and future needs of that child as they grow up. To that end, openness gives the most options - it allows birth and adoptive families to choose for themselves whether or not to have contact, it allows them to access information if they need to get it and the relationship or contact is not dependent on current laws, policies or procedures. The control is in the hands of those who will know the child best - the birth parents and adoptive parents.

We would not want you to make any changes to current law regarding the formation of a 3rd type of adoption - designated adoption - because we believe that VA already has choices that provide for the needs of our clients. Any type of adoption that is not fully open we cannot support because of our strong beliefs stated already. We are further concerned about the potential opportunities it provides to intentionally circumvent parental placement. Coordinators²inc believes that agency placements already allow for birth parents to participate in the placement decision while maintaining some anonymity, should they choose it. At least that is the practice that we are aware of in many agencies currently in VA. I have provided you with information on just a couple of research studies related to openness in adoption. The research in this area is new and the results suggest that openness and flexibility in the type of openness is what benefits children and families the most. Further, new research suggests that birth parents who place through an open adoption arrangement fare better emotionally and psychologically in the long term.

"One study reviewed found that birth mothers who had ongoing contact with the adoptive family showed better grief resolution than birth mothers whose contact had ceased. Furthermore, they found those parents with fully disclosed adoptions also showed better grief resolution than those who had no contact."

"Birth Parents in Adoption: Research, Practice, and Counseling Psychology,"

If any of you are concerned about pregnant women not choosing adoption due to openness, I think the research is suggesting a woman may be more likely to choose an adoption plan that is open, given that she is more likely to experience less long term trauma. Anecdotally, I can share with you through my experience that what tends to turn women off to an adoption plan is the idea that they would complete a pregnancy, give birth to a child and never see that child again. Please consider the research carefully before proceeding to make any significant changes that might have the unintended result of creating more closed adoptions. Designated adoptions, although they appear more open than an Agency placement, would ultimately be closed adoptions by law, therefore stopping future flexibility to all parties in regards to contact and information.

We would like this subcommittee to also consider another area of openness as you are reviewing the entire adoption code: allowing adult adoptee access to their adoption record and access to their original birth certificate. We would support and encourage VA to take their cue from other states (Tennessee, Oregon, Kansas, Alaska, Delaware, New Hampshire have all passed some form of open records legislation; Maryland, Colorado, New York, New Jersey, Minnesota, Nevada, Rhode Island, Texas all have legislation pending) and consider allowing adult adoptees access to their adoption records and their original birth certificates. The savings to this state could be significant if the VDSS and state agencies and private agencies did not have to continue to use their resources to provide search services and access to information. Their resources could be better spent providing services to children waiting in our foster care system, the recruitment of more adoptive families and the preparation and support of those families after placement.

To that end, another change we would support if considered is to allow all adoptive children in VA access to adoption subsidy funds if they meet the special needs criteria. Currently, all parental placement and international adoptive families are not able to access state funds for adoption subsidy simply due to the type of adoption that brought them to their adoptive family. In some cases the lack of access to funding to support children's special needs forces a child into the custody of local agencies in order to have that access. Subsidy funding should be used to support all adoptive families in VA who are parenting children with special needs, as defined by VDSS.

And now that I've mentioned international adoption, we would support any changes to the code that assists in clarifying procedures, particularly around the recent change in law that allowed international adopting families to access a VA birth certificate without re-finalizing the adoption. That process has proved to be very cumbersome and rarely used because it was not clear enough how that process would occur. We would want to continue to have our international adoptive families participate in post-placement supervision upon their return to the US so we would not support any change that would eliminate that requirement. We believe the risk of difficulty/potential problems for children and families is greater in international adoption because of the deprivation those children have suffered and early intervention is the best prevention of more serious problems. Social workers can provide a wealth of information, education and support during those crucial first months to assist in attachment, assessment of developmental delays, and referral to appropriate professionals if further assessment is needed.

Thank you again for having Coordinators²inc participate and we look forward to continuing this dialogue and participating in the future course of adoption law in Va.

For questions or any follow up information, please feel free to contact:

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